

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Gene Samson, et al.

Serial No.: (not yet assigned)

Filed: February 22, 2002

For: MECHANICAL CLOT TREATMENT
DEVICE WITH DISTAL FILTER

Group Art Unit: (not yet assigned)

Examiner: (not yet assigned)



INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO/SB/08A (08-00) and copies are enclosed in the parent application serial No. 09/452,528 filed on December 1, 1999, for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

☒ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d) or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

- ☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.
- ☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.
- ☐ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.
- ☐ The fee due under 37 CFR § 1.17(p) is submitted herewith.
- ☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.
- ☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

STATEMENT UNDER 37 CFR § 1.97(e):

- ☐ Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.
- ☐ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

- ☐ A check in the amount of _____ is enclosed for the above fee(s).
☐ Please charge _____ to Deposit Account No. **12-2475** for the above fee(s).

The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Lyon & Lyon's Deposit Account No. **12-2475**.

Dated: 2-19-02

Respectfully submitted,
LYON & LYON LLP

By: DT Burse
David T. Burse
Reg. No. 37,104



22249

LYON & LYON LLP
633 W. Fifth Street,
Suite 4700
Los Angeles, CA
90071

Please type a plus sign (+) inside this box

+

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 4

Complete if Known

Application Number	(not yet assigned)
Filing Date	Submitted Herewith
First Named Inventor	Gene Samson, et al
Group Art Unit	(not yet assigned)
Examiner Name	(not yet assigned)
Attorney Docket Number	271/231

J1050
U.S. PTO
10/082492
02/22/02

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	1	5,855,565		Bar-Cohen, et al.	01-1999	
	2	5,972,019		Engelson, et al.	10-26-1999	
	3	5,133,733		Rasmussen, et al.	07-1992	
	4	3,174,851		Buehler, et al.	03-23-1965	
	5	3,351,463		Rozner, et al.	11-07-1967	
	6	3,367,101		Garner, et al.	02-06-1968	
	7	3,435,826		Fogarty	04-01-1969	
	8	3,753,700		Harrison, et al.	08-21-1973	
	9	3,996,938		Clark III	12-14-1976	
	10	4,030,503		Clark III	06-21-1977	
	11	4,403,612		Fogarty	09-13-1983	
	12	4,425,908		Simon	01-17-1984	
	13	4,643,184		Mobin-Uddin	02-17-1987	
	14	4,692,139		Stiles	09-08-1987	
	15	4,706,671		Weinrib	11-17-1987	
	16	4,762,130		Fogarty, et al	08-09-1988	
	17	4,790,812		Hawkins, Jr. et al.	12-13-1988	
	18	4,842,579		Shiber	06-27-1989	
	19	4,873,978		Ginsburg	10-17-1989	
	20	4,885,003		Hillstead	12-05-1989	

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ₆
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A	GB	2 020 557			11-21-1979		
	B	EP	0 117 940			09-12-1998		
	C	CA	2,000,621			04-19-1990		
	D	EP	0 418 677			03-27-1991		
	E	EP	0 419 154	A1		03-27-1991		

Examiner
Signature

Date
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 4

Complete if Known

Application Number	(not yet assigned)
Filing Date	Submitted Herewith
First Named Inventor	Gene Samson, et al
Group Art Unit	(not yet assigned)
Examiner Name	(not yet assigned)
Attorney Docket Number	271/231

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	21	4,890,611		Monfort, et al.	01-02-1990	
	22	4,904,431		O'Maleki	02-27-1990	
	23	4,921,484		Hillstead	05-01-1990	
	24	4,926,858		Gifford, III, et al.	05-22-1990	
	25	4,997,435		Demeter	03-05-1991	
	26	5,011,488		Ginsburg	04-30-1991	
	27	5,053,008		Bajaj	10-01-1991	
	28	5,112,347		Taheri	05-12-1992	
	29	5,122,136		Guglielmi, et al.	06-16-1992	
	30	5,133,733		Rasmussen, et al.	07-28-1992	
	31	5,192,286		Phan, et al.	03-09-1993	
	32	5,308,354		Zacca, et al	05-03-1994	
	33	5,330,484		Gunther, et al	07-19-1994	
	34	5,354,295		Guglielmi, et al.	10-11-1994	
	35	5,395,311		Andrews	03-07-1995	
	36	5,411,509		Hilal	05-02-1995	
	37	5,423,829		Pham, et al.	06-13-1995	
	38	5,449,372		Schmaltz, et al	09-12-1995	
	39	5,454,795		Samson	10-03-1995	
	40	5,456,667		Ham, et al.	10-10-1995	
	41	5,490,859		Mische, et al.	02-13-1996	
	42	5,527,326		Hermann, et al.	06-18-1996	
	43	5,628,761		Rizik	05-13-1997	
	44	5,643,297		Nordgren, et al	07-01-1997	

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ₆
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	F	EP	0 472 368			02-26-1992		
	G	EP	0 531 822			03-17-1993		
	H	EP	0 533 511	A1		03-24-1993		
	I	WO	94/24946			11-10-1994		
	J	WO	95/35066			12-28-1995		

Examiner
SignatureDate
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

+

 $+$

+

11

T.

271/231

[illegible][illegible]Date
Considered

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → ☐

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 4 of 4

Complete if Known

Application Number	(not yet assigned)
Filing Date	Submitted Herewith
First Named Inventor	Gene Samson, et al
Group Art Unit	(not yet assigned)
Examiner Name	(not yet assigned)
Attorney Docket Number	271/231

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	63	Castaneda-Zuniga, W.R. e.d. (1997) <u>Interventional Radiology</u> . Volume 1, Thrid Edition, Williams & Wilkins: New York, pp. 912-921	

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.